



EDWARD M. FALCONE

Deputy Director
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July 27, 2007

Sam Zherka
Publisher, The Westchester Guardian
2 William Street, Suite 406
White Plains, New York 10601

Re: Newspaper Boxes at Yonkers Public Library Branches

Dear Mr. Zherka:

It has come to my attention that newspaper distribution boxes for your paper, the Westchester Guardian, were placed in two branches of the Yonkers Public Library recently. The two affected branches are the Grinton I. Will Branch and the Riverfront Branch.

The Yonkers Public Library has a long history of working with newspapers like yours to distribute free newspapers to the Library's patrons, and would be happy to provide this service for you. However, no one from your company provided the Library any prior notice that the newspaper boxes would be placed in the above-referenced branches, and no one from your company sought permission of or discussion with the Library prior to the placement of these newspaper boxes at the above-referenced branches, either. They just appeared. Accordingly, I offer the following for your consideration.

At the Will Branch, the Library uses wire racks in the lobby near the main entrance for the distribution of all free newspapers. At the Riverfront Branch, the Library uses a shelf near the check-out desk. Both areas are prominent areas that receive plenty of traffic from our patrons. The Library requests that you agree to move your newspapers to these locations within the respective branches, and cease using the outdoor furniture inside the Library's branches as your distribution method. Additionally, our staff at the Riverfront Branch would be happy to inform patrons who ask that the Westchester Guardian has an additional newspaper box located at the corner of Larkin Park, right across the street from this Branch, where further copies of the newspaper may be obtained. All other newspapers in the Library are treated in the same manner we intend to treat your newspaper.

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CORPORATION COUNSEL
YONKERS, N.Y.

The Library has several concerns about distributing papers through the newspaper boxes you have placed in the Will Branch and Riverfront Branch, which I would like to address with you. The Library uses the wire racks and shelves for distribution of all free newspapers to ensure that patrons know where to find the free papers in the Library, to reduce congestion in the busy entrances of the Library, and concentrate the newspapers in particular areas where Library patrons will browse reading and other materials. Further, the newspaper boxes are outdoor furniture and as such are not appropriately placed inside a building. Along these lines, I am concerned about the apparently flimsy construction of the newspaper boxes; already, the unit at the Will Branch is damaged and its door can only be opened with difficulty. This can cause injury to Library patrons. Further, at the Riverfront Branch, the Library has worked diligently to use this newly renovated branch as a showcase of the Yonkers Library System, and the lobby area is used both as the lobby for the branch and also as an art gallery and events space. We must retain the flexibility to use this space for diverse library and civic purposes and will not permit placement of the newspaper box in this lobby area.

We would be happy to aid in the distribution of the Westchester Guardian, as set forth above. Please contact me at 375-7951 to discuss removal of the newspaper boxes, and when copies of the Westchester Guardian will be delivered to the Library's branches, how many will be delivered, and with what frequency the papers will be delivered so that we may advise branch staff of same and set aside space for your paper. Please be advised that if I do not receive a response to this letter within five (5) business days, the papers will be removed from the newspaper boxes and placed in the racks/shelves described above. Further, your empty newspaper box will be placed in storage for pick up by a representative of your company. If, within five (5) business days thereafter, no one from your company has arrived to claim the boxes, please be advised that the Library will assume that your company does not wish to take possession of the boxes and the Library will proceed with the next appropriate steps to remove the abandoned property.

Should you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



Edward Falcone
Deputy Director, Yonkers Public
Library